

REMARKS

Reconsideration of the above-identified patent application is respectfully requested.


Claim 8 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,252,096 to Kennedy (Kennedy). Claims 9-12 stand objected to as being dependent upon a rejected base claim, but are indicated as allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants note with appreciation that claims 1-7 and 13-20 have been allowed.

In regard to claim 8, the Examiner rejected this claim under 35 U.S.C. § 102(b) as being anticipated by Kennedy. However, Kennedy fails to disclose or show all the elements of claim 8. For example, Kennedy fails to disclose “controlling a minimum rotation speed of said engine as a function of said rotational engine speed of said engine and said engine acceleration rate.” On the contrary, Kennedy is concerned with controlling a *maximum* engine speed. In particular, Kennedy discloses “[a]n electronic governor control for an automotive engine that prevents the speed of the engine from *exceeding a predetermined limit*.” (See Abstract). A “problem to overcome is engine speed overshoot past the predetermined speed limit set point when high acceleration rates are encountered. To eliminate overshoot in such a situation, a secondary derivative circuit 300 is located between the output of the tachometer 200 and the reference supply at the input to the controller 400.” (See Col. 2, ll. 47-53). “The derivative voltage level output from the secondary derivative circuit 300 is applied to adjust the controller 400 to respond to fast acceleration conditions. This is accomplished by forcing the reference voltage to move up in value (*lowering the RPM*

set point) causing the controller 400 to respond early to a given acceleration rate, so that there is very little overshoot of the preset speed limit." (See Col. 7, ll. 33-41. Note that the reference voltage and engine speed are inversely proportion. See FIG. 5) Accordingly, Kennedy discloses reducing the predetermined *maximum RPM set point* during high acceleration points so as to begin speed governing techniques earlier than normal. Clearly, this is not "controlling a minimum rotation speed of said engine" as required in claim 8. Accordingly, claim 8 is not anticipated by Kennedy and is believed to be allowable.

Claims 1-20 are believed to be in condition for allowance, and such action is solicited. The Examiner is cordially invited to contact the undersigned by telephone to discuss any unresolved matters.

Respectfully submitted,



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